

Based on the foregoing, the undersigned recommends that the instant motion be dismissed, and that Plaintiff be allowed additional time to file an appropriate Motion For Summary Judgment and a supporting Memorandum of Law.

FOR THE FOREGOING REASONS, the undersigned respectfully recommends that “Plaintiff’s “Motion For Summary Judgment” (Document No. 11) be **DENIED WITHOUT PREJUDICE**.

IT IS FURTHER RECOMMENDED that Plaintiff be allowed an extension of time until **November 20, 2015**, to file an appropriate motion and supporting memorandum that comply with the Court’s “Social Security Briefing Order.”

TIME FOR OBJECTIONS

The parties are hereby advised that pursuant to 28 U.S.C. § 636(b)(1)(C), and Rule 72 of the Federal Rules of Civil Procedure, written objections to the proposed findings of fact, conclusions of law, and recommendation contained herein may be filed **within fourteen (14) days** of service of same. Responses to objections may be filed within fourteen (14) days after service of the objections. Fed.R.Civ.P. 72(b)(2). Failure to file objections to this Memorandum and Recommendation with the District Court constitutes a waiver of the right to de novo review by the District Court. Diamond v. Colonial Life, 416 F.3d 310, 315-16 (4th Cir. 2005). Moreover, failure to file timely objections will preclude the parties from raising such objections on appeal. Diamond, 416 F.3d at 316; Page v. Lee, 337 F.3d 411, 416 n.3 (4th Cir. 2003); Snyder v. Ridenhour, 889 F.2d 1363, 1365 (4th Cir. 1989); Thomas v. Arn, 474 U.S. 140, 147-48 (1985), reh’g denied, 474 U.S. 1111 (1986).

IT IS SO RECOMMENDED.

Signed: November 12, 2015



David C. Keesler
United States Magistrate Judge

